

1 EDMUND G. BROWN JR.
Attorney General of California
2 ALFREDO TERRAZAS
Senior Assistant Attorney General
3 ARTHUR D. TAGGART
Supervising Deputy Attorney General
4 State Bar No. 083047
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5339
Facsimile: (916) 327-8643

7 *Attorneys for Complainant*

8
9
10 **BEFORE THE**
11 **BOARD OF REGISTERED NURSING**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

Case No. **2010-314**

15 **SARAH ALICIA PATE BOMAN, aka**
16 **SARAH PATE BOMAN**
17 **13335 Deer Range Road**
Wilmer, AL 36587

A C C U S A T I O N

18 **Registered Nurse License No. 691430**

19 Respondent.

20 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

21 **PARTIES**

22 1. Complainant brings this Accusation solely in her official capacity as the Interim
23 Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs.

24 **License History**

25 2. On or about October 26, 2006, the Board of Registered Nursing issued Registered
26 Nurse License Number 691430 to Sarah Alicia Pate Boman, also known as Sarah Pate Boman
27 ("Respondent"). The license was in full force and effect at all times relevant to the charges and
28 will expire on February 28, 2010, unless renewed.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2
3
4

5
6
7

8
9
10
11

12
13
14
15

16

17

18
19

19
20

21
22
23

24

25
26
27
28

1 **CAUSE FOR DISCIPLINE**

2 **(Out-of-State Discipline)**

3 9. Respondent's license is subject to disciplinary action under Code section 2761,
4 subdivision (a)(4), on the grounds of unprofessional conduct, in that Respondent's Registered
5 Nurse Licenses were disciplined in the States of Louisiana and Alabama, as set forth below:

6 Louisiana State Board of Nursing ("Louisiana Board")

7 a. In the action entitled, In the Matter of Sarah Pate Boman, on January 2, 2006,
8 Respondent entered into an Investigations Agreement to Submit to Examinations and/or
9 Monitoring whereby Respondent consented to a comprehensive psychiatric, psychological, and
10 substance abuse evaluations to determine her capability of practicing nursing with reasonable
11 skill and safety to patients, including other stipulations.

12 b. On October 13, 2006, the Louisiana Board placed Respondent's Louisiana's
13 registered nurse license on suspension and Respondent was ordered to cease and desist the
14 practice of nursing in the State of Louisiana for failing to comply with the stipulations.

15 A copy of the Louisiana Board's Investigations Agreement to Submit to Examinations
16 and/or Monitoring and Final Order is attached hereto as Exhibit A and incorporated herein.

17 Alabama Board of Nursing ("Alabama Board")

18 c. In the action entitled, In the Matter of Sarah Alicia Pate Boman, License No. 1-
19 042959, ABN Case No. 2007-0238, effective September 21, 2007, Respondent's Registered
20 Nurse License No. 1-042959 was revoked. The underlying circumstances of the disciplinary
21 action are that in her renewal application, dated December 15, 2006, Respondent failed to
22 disclose the disciplinary action taken by the Louisiana State Board of Nursing whereby she
23 consented to complete a comprehensive psychiatric, psychological, and substance abuse
24 evaluations to determine her capability of practicing nursing with reasonable skill and safety to
25 patients.

26 A copy of the Alabama Board's Findings of Fact, Conclusions of Law, and Order is
27 attached as Exhibit B and incorporated herein.

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

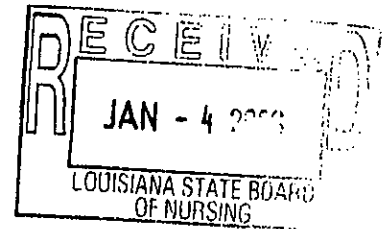
1. Revoking or suspending Registered Nurse License Number 691430 issued to Sarah Alicia Pate Boman, also known as Sarah Pate Boman;

3. Taking such other and further action as deemed necessary and proper.

Louise R. Bailey
LOUISE R. BAILEY, M.Ed. RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

Exhibit A

LOUISIANA STATE BOARD OF NURSING
METAIRIE, LOUISIANA



IN THE MATTER OF:
SARAH PATE BOMAN
1203 PATRIOT DRIVE
SLIDELL, LA 70458
Respondent

*
*
*

NOT DISCIPLINE/ NOT A PUBLIC RECORD
Investigations Agreement to
Submit to Examinations and/or Monitoring

I, SARAH PATE BOMAN, , voluntarily agree to these terms as part of the investigatory process as per LA R.S. 37:920 (F). I acknowledge that the Louisiana State Board of Nursing makes the following FINDINGS OF FACT:

1. That on January 31, 2005, Respondent, while working at NorthShore Regional Medical Center, had difficulty comprehending the use of the Omni Cell machine and subsequently made two (2) narcotics errors.
2. That on January 31, 2005, Respondent, while working at NorthShore Regional Medical Center, was observed having difficulty relaying pertinent medical information to a physician; when requested to assist during an admission, Respondent ordered the wrong lab workup as per the physician's order.
3. That on January 31, 2005, Respondent, while working at NorthShore Regional Medical Center, was verbally counseled by hospital management regarding her behavior and inability to comprehend problems with the Omni Cell machine; thereafter, management staff requested the Respondent be assessed in the emergency department by a physician and that she submit to a urine drug screen.
4. That on February 1, 2005, at 0010 Respondent, while working at NorthShore Regional Medical Center, refused to submit to an assessment or to provide a specimen for a urine drug screen signing a form reading in part as, "Respondent has been advised that as a condition of employment that she is refusing to consent to a drug screen for cause. The result of this decision is immediate termination and you will be reported to the Louisiana State Board of Nursing"; Respondent refused to cooperate and was subsequently terminated.

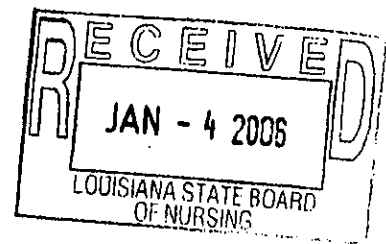
I understand that this agreement shall not constitute a public record and is not disciplinary action; however, failure to comply with stipulations shall constitute evidence which may lead to the institution of disciplinary action.

In order to comply with the request to submit to evaluations as part of the investigatory process, I hereby consent to accept and abide by the following:

1. Within 60 days, submit to comprehensive psychiatric, psychological, and substance abuse evaluations by a psychiatrist, clinical psychologist, and an addictionologist who have been approved by the Board; Shall authorize and cause written reports of said evaluation to be submitted to the Board; Shall include the entire evaluation reports diagnosis, course of treatment, prescribed or recommended treatment, prognosis and professional opinion regarding registrant's capability of practicing nursing with reasonable skill and safety to patients.
2. Shall submit a photocopy of all pages of this agreement to the evaluators referenced in the above stipulation.
3. Immediately submit to all treatment, therapy and recommendations of the therapist, physician or treatment team, and cause to have submitted evidence of continued compliance with all recommendations by the respective professionals. This stipulation shall continue until the registrant is fully discharged by the respective professionals and until approved by the Board staff.
4. Have supervised random drug screens done through an approved LSBN laboratory for a period of 12 months for a minimum of 12 times during this period. Additional screenings may be requested by Board staff. Written reports of same shall be submitted to the Board.

SAB
Initials

LOUISIANA STATE BOARD OF NURSING
METAIRIE, LOUISIANA



IN THE MATTER OF:
SARAH PATE BOMAN
1203 PATRIOT DRIVE
SLIDELL, LA 70458

Respondent

*
* **NOT DISCIPLINE/ NOT A PUBLIC RECORD**
* **Investigations Agreement to
Submit to Examinations and/or Monitoring**

5. Any mood-altering/addictive medication is to be currently prescribed for a bona fide medical condition be and is to be verified in writing to the Board by the prescribing physician within five (5) days.
6. Shall remain free of alcohol and all unprescribed mood altering substances. Any mood altering, addictive, or dependency-inducing substance must be currently prescribed for a bona fide medical condition by a physician knowledgeable about the individual's history and the information underlying the Board's concerns. All prescribed drugs must be verified in writing to the Board on a specified form by the individual and the prescribing physicians within five (5) days of this date, and within five (5) days of any new prescriptions. The Board reserves the right to have a L.SBN recognized addictionist review and approve the prescriptions for continued nursing practice.
7. Prior to beginning or returning to work, inform all nursing employers of these disciplinary measures and of the probationary status of license. Within 5 days, shall cause all employers to submit, in writing to the Board, that they have reviewed all pages of this Order.
8. Have all immediate nursing supervisors submit a performance evaluation report quarterly, commencing from the first date of employment. Quarterly reports are due on or before the first day of January, April, July, and October.
9. Work in a restrictive environment as a member of a treatment team rather than alone or with a few employees. Not be employed in agency/pool/staffing, home health services, or nursing homes. Additionally, not be employed in any unsupervised setting. Must be directly supervised by an on-site registered nurse.
10. Immediately (within 72 hours) inform the Board in writing of any change in address.
11. Immediately inform the Board in writing of all places of employment. If employment changes, the Board shall be immediately (within 72 hours) notified in writing.
12. If unemployed, inform the Board in writing on a quarterly basis.
13. Failure to comply with the above orders, receipt of an unfavorable report, or non-receipt of reports on or before the date due shall result in the immediate suspension of the registrant's license. This suspension can imposed by action of the Executive Director subject to the discretionary review of the Board.
14. Upon successful completion of the "Investigative Period", the Louisiana State Board of Nursing will contact **SARAH PATE BOMAN**, in writing and notify her that the "Investigative Period" has been successfully completed and the matter is now closed.

SPB
Initials

Louisiana State Board of Nursing

5207 Essen Lane, Suite 6

Baton Rouge, LA 70809

Telephone: (225) 763-3570 or (225) 763-3577 Fax: (225) 763-3580

<http://www.lsbnp.state.la.us>

Certified Mail

Return Receipt Requested

October 13, 2006

SARAH PATE BOMAN
1203 PATRIOT DRIVE
SLIDELL, LA 70458

Dear Ms. Boman:

Reference is to the Investigation Agreement with the Board effective January 10, 2006. This investigation agreement allowed that your Louisiana RN license be active, contingent upon stipulations. The Order stipulated, in part, that you:

- ☐ Within 60 days, submit to comprehensive psychiatric, psychological, and substance abuse evaluations by a psychiatrist, clinical psychologist, and an addictionologist who have been approved by the Board; Shall authorize and cause written reports of said evaluation to be submitted to the Board; Shall include the entire evaluation reports diagnosis, course of treatment, prescribed or recommended treatment, prognosis and professional opinion regarding registrant's capability of practicing nursing with reasonable skill and safety to patients.
- ☐ Shall submit a photocopy of all pages of this agreement to the evaluators referenced in the above stipulation.
- ☐ Have supervised random drug screens done through an approved LSBN laboratory for a period of 12 months for a minimum of 12 times during this period. Additional screenings may be requested by Board staff. Written reports of same shall be submitted to the Board.
- ☐ Prior to beginning or returning to work, inform all nursing employers of these disciplinary measures and of the probationary status of license. Within 5 days, shall cause all employers to submit, in writing to the Board, that they have reviewed all pages of this Order.
- ☐ Have all immediate nursing supervisors submit a performance evaluation report quarterly, commencing from the first date of employment. Quarterly reports are due on or before the first day of January, April, July, and October.
- ☐ Immediately inform the Board in writing of all places of employment. If employment changes, the Board shall be immediately (within 72 hours) notified in writing.
- ☐ If unemployed, inform the Board in writing on a quarterly basis.

A review of your file reveals that you are not in compliance with the aforementioned Order, specifically, on July 13, 2006, you were sent a letter of non-compliance which you signed for on July 25, 2006 that indicated the following deficiencies:


- ☐ Board approved Comprehensive Evaluations: Psychiatric, Psychological and Chemical Dependency due 2/23/06 have not been received.
- ☐ Random Drug Screens: Due 2/28/06 to 6/30/06 has not been received. Send your original Confirmation receipt (keep a copy for your records).
- ☐ Letter from employer stating Order has been viewed has not been received.
- ☐ Performance Evaluations: Employer report for the month of April 2006, has not been received.

The order further states that failure to comply with the stipulations, or receipt of an unfavorable report shall result in the immediate suspension of your license. **Therefore, your Louisiana RN license is suspended. It is noted that your license is currently delinquent effective April 1, 2006.**

YOU ARE TO CEASE AND DESIST IMMEDIATELY THE PRACTICE OF NURSING IN LOUISIANA.

If you are able to show error in the staff's action then you must so notify the Board in writing within ten (10) days of this date.

LOUISIANA STATE BOARD OF NURSING


Barbara L. Morvant, MN, RN
Executive Director

Louisiana State Board of Nursing

5207 Essen Lane, Suite 6

Baton Rouge, LA 70809

Telephone: (225) 763-3570 Fax: (225) 763-3580

lsbn@lsbn.state.la.us

December 13, 2006

Sarah Pate Boman
1203 Patriot Drive
Slidell, LA 70458

Re: Board Order

Dear Ms. Boman:

This is official notification that the recent action taken by staff for suspension of your license was ratified by the Louisiana State Board of Nursing in a regularly scheduled meeting on **December 6, 2006**.

It is noted that your current license is **delinquent** as of April 1, 2006.

LOUISIANA STATE BOARD OF NURSING



Barbara L. Morvant, MN, RN
Executive Director

BLM/lmt

Exhibit B



ALABAMA BOARD OF NURSING

RSA PLAZA, STE 250
770 WASHINGTON AVE
MONTGOMERY, AL 36104

N. GENELL LEE, MSN, RN, JD
EXECUTIVE OFFICER

MAILING ADDRESS:
P.O. Box 303900
MONTGOMERY, AL 36130-3900

(334) 242-4060
1-800-656-5318
FAX (334) 242-4360

WWW.ABN.STATE.AL.US

BEFORE THE ALABAMA BOARD OF NURSING

STATE OF ALABAMA)

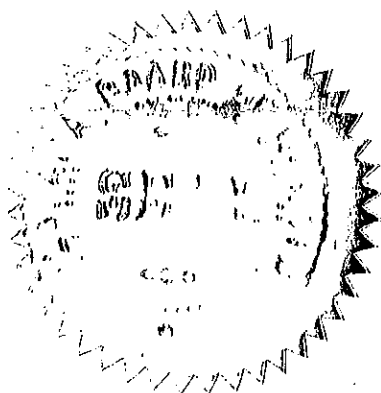
MONTGOMERY COUNTY)

I, N. GENELL LEE, RN, MSN, JD, Executive Officer of the Alabama Board of Nursing, do hereby certify that I am the legal Custodian of Records for the Alabama Board of Nursing and that the attached document in reference to **SARAH ALICIA PATE BOMAN** as it appears of record and on file in my office at Suite 250, RSA Plaza, 770 Washington Avenue in the City of Montgomery, County of Montgomery, State of Alabama, that the laws of the State require said records be kept and that the same are true and correct copies of said originals.

WITNESS my hand and seal of the Alabama Board of Nursing on this 9TH day of April 2009.

ALABAMA BOARD OF NURSING

N. GENELL LEE, RN, MSN, JD
EXECUTIVE OFFICER



ALABAMA BOARD OF NURSING
MONTGOMERY, ALABAMA

IN THE MATTER OF:

N. GENELL LEE, RN, MSN, JD
Executive Officer,
Alabama Board of Nursing,

Complainant,

v.

SARAH ALICIA PATE BOMAN
License No. 1-042959,

ABN Case No. 2007-0238

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND
ORDER OF THE ALABAMA BOARD OF NURSING

THIS CAUSE having come before the Alabama Board of Nursing ("Board") against the above-named Respondent and the evidence having been taken on June 6, 2007, the Board hereby issues the following Order:

FINDINGS OF FACT

1. Marilyn Archibald, RN, Nurse Consultant to the Legal Division, testified at the hearing regarding the circumstances surrounding the Complaint.
2. On October 4, 1982, Respondent was licensed by the Board as a Registered Nurse (RN) and was so licensed at all times relevant to matters stated herein. Respondent is currently licensed through December 31, 2008.
3. On December 15, 2006, Respondent submitted an application for renewal of her RN license. On this application, Respondent failed to disclose

discipline by the Louisiana Board of Nursing. Respondent's Louisiana RN license was suspended effective April 1, 2006, due to her failure to comply with a January 10, 2006 Order (resulting from an "Investigation Agreement") requiring her to complete comprehensive psychiatric, psychological and substance abuse evaluations by a psychiatrist, clinical psychologist and an addictionologist. The Order also included other monitoring stipulations.

4. On October 13, 2006, Respondent was served via Certified Mail with a notice to immediately cease and desist the practice of nursing in Louisiana.

CONCLUSIONS OF LAW

5. That the Board has jurisdiction of the cause pursuant to Code of Alabama, (1975) § 34-21-25.

6. There were no objections related to notice, specificity or other jurisdictional or constitutional defects. Service was attempted at Respondent's last address of record by Certified Mail on or about May 14, 2007 and by Deputy Sheriff on or about May 7, 2007. Respondent failed to attend the hearing.


7. Respondent's conduct constitutes grounds for disciplinary action for violation of Code of Alabama, (1975) § 34-21-25 and Alabama Board of Nursing Administrative Code, § 610-X-8-.03(6)(a)(b)(z).

ORDER

THEREFORE, IT IS ORDERED and ADJUDGED that Respondent's
Alabama Registered Nurse License, No. 1-042959, is hereby revoked.

DONE and ORDERED this 21st day of September 2007.

ALABAMA BOARD OF NURSING



N. GENELL LEE, RN, MSN, JD
EXECUTIVE OFFICER

IN THE MATTER OF:

SARAH ALICIA PATE BOMAN

LICENSE NO. 1-042959

ABN CASE NO. 2007-0238

) BEFORE THE ALABAMA
) BOARD OF NURSING
)
)
)
)
)

STATEMENT OF CHARGES AND NOTICE OF HEARING

To: Sarah Alicia Pate Boman
136 Vivian Loop
Fairhope, AL 36532-7063

Pursuant to the Provisions of Code of Alabama 1975, § 34-21-25, and Alabama Board of Nursing Administrative Code, § 610-X-8-.03, you are hereby notified and ordered to appear before the Alabama Board of Nursing, hereinafter referred to as the Board, on **June 6, 2007** at **9:00 a.m.**, at the Alabama Board of Nursing Office, RSA Plaza, Suite 250, 770 Washington Avenue, Montgomery, AL 36130, or at another location designated by the Board, and from time to time thereafter as may be required by the Board, then and there to show cause, if any you have, why your license to practice nursing in this State should not be revoked, suspended or placed on probation or a monetary penalty imposed, in that it is alleged you are guilty of the following, to wit:

I.

On October 4, 1982, Respondent was licensed by the Alabama Board of Nursing as a Registered Nurse and was so licensed at all times relevant to matters stated herein. Respondent is currently licensed through December 31, 2008.

II.

On December 15, 2006, Respondent submitted an application for renewal of her RN license. On this application, Respondent failed to disclose discipline by the Louisiana Board of

Nursing. Effective April 1, 2006, the Respondent's Louisiana RN license was suspended. This suspension was due to Respondent's failure to comply with a January 10, 2006 Order to complete comprehensive psychiatric, psychological and substance abuse evaluations.

III.

Effective January 10, 2006, Respondent executed an Investigation Agreement with the Louisiana Board of Nursing. This Agreement/Order stipulated that Respondent was to submit to a comprehensive psychiatric, psychological and substance abuse evaluations by a psychiatrist, clinical psychologist and an addictionologist. The Agreement/Order also included other monitoring stipulations. On October 13, 2006, Respondent was served via certified mail a notice to immediately cease and desist the practice of nursing in Louisiana. Respondent was informed that effective April 1, 2006, her license was delinquent and thereby suspended.

IV.

The conduct stated above constitutes sufficient grounds for the imposition of sanctions against Respondent's license to practice as a Registered Nurse in the State of Alabama pursuant to the Code of Alabama 1975, § 34-21-25, and the Alabama Board of Nursing Administrative Code § 610-X-8-.03(6)(a)(b)(z).

At the aforesaid time and place, and from time to time thereafter as may be directed by the Board, you may be represented by an attorney, if you so desire, cross-examine all witnesses

who testify against you and present such evidence in your own behalf in response to these charges as you consider necessary and appropriate.

Dated this the 18th day of April 2007.

ALABAMA BOARD OF NURSING

A handwritten signature in black ink, appearing to read "N. Genell Lee".

N. GENELL LEE, RN, MSN, JD
EXECUTIVE OFFICER